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EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2151

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/601,385	Applicant(s) REFUAH ET AL.	
	Examiner Khanh Dinh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 76-78, 114-117, 136-155 and 158-164 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 76-78, 114-117, 136-155 and 158-164 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/18/04, 9/29/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Remarks and Amendment filed on 9/29/2005. Claims 156 and 157 are canceled. Claims 76-78, 114-117, 136-155 and new claims 158-164 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 76-78, 114-117, 136-155 and 158-164 are rejected under 35 U.S.C. 102(e) as being anticipated by Gerace, US pat. No.5,848,396.

As to claims 136, Gerace discloses a method of a user interacting with an Internet site, comprising:

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transmitting to the site, by a user, a request for an Internet page and providing to the site, a user profile (creating a user profile) record of the user transmitting the request, by an entity not associated with the site; providing, responsive to each of the requests, information content of the Internet page (displaying customized Home Page specialized for each user instead of initial Home Page, see fig.1, abstract, col.3 line 39 to col.4 line 55);

responding to the requests, with a page presentation of the provided information content in a display format selected responsive to the user profile record (using user profiling member and necessary information to display appropriate screen views to the user, see fig.2, col.4 line 56 to col.5 line 39 and col.6 lines 13-57).

As to claims 76 and 77, Gerace discloses said modification comprises modifying a display layout (screen positions) and modifying a level of detail shown (see fig.3a, col.6 line 13 to col.7 line 57).

As to claims 78, Gerace discloses said modification comprises selecting data to be displayed (see fig.3a, col.6 line 13 to col.7 line 57).

As to claims 114, Gerace discloses the at least one attribute of the display format determined responsive to the user profile comprises one or more display colors (see col.8 lines 13-48 and col.13 lines 9-61).

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As to claims 115 and 116, Gerace discloses at least one attribute of the display format determined responsive to the user profile comprises an image quality and at least one attribute of the display format determined responsive to the user profile comprises a size, amount or density of displayed text (displaying users' customization of contents in the Internet, see col.11 line 13 to col.12 line 56 and col.14 lines 4-59).

As to claims 117, Gerace discloses that the display format responsive to the user profile comprises modifying a display format of a browser of the client (see fig.4a, col.14 lines 4-59 and col.16 lines 19-67).

As to claims 137, Gerace discloses records are managed at least partially by tracking interactions of the user with an Internet and analyzing the tracked interactions to determine at least a part of the user profile (tracking users' information, see col.19 lines 7-65 and col.21 lines 5-60).

As to claims 138 and 139, Gerace discloses tracking at computers at which the users accesses the Internet and tracking at a computer from which users access the Internet and which tracks a plurality of users accessing the Internet from different client stations (tracking users' information using different computers, see figs.1, 2, col.19 lines 7-65 and col.21 lines 5-60).

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As to claims 140 and 141, Gerace discloses tracking computer is physically remote from a computer hosting the site and providing the same information content for a plurality of the users (see figs.1, 2, col.19 lines 7-65 and col.21 lines 5-60).

As to claims 142 and 143, Gerace discloses providing different information content including different search results, for a plurality of the users and providing the information content of the Internet page without relation to the user profile of the user transmitting the request (see fig.4a, col.14 lines 4-59 and col.16 lines 19-67).

As to claims 144 and 145, Gerace discloses the selected display format includes at least one non-information-content attribute selected responsive to the user profile and transmitting along with a user profile record (displaying user customization of contents in the Internet, see col.11 line 13 to col.12 line 56 and col.14 lines 4-59).

As to claims 146, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in their level of detail (see col.8 lines 13-48 and col.13 lines 9-61).

As to claims 147, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in a percentage of image data that they include for one or more of their images (displaying users' customization of contents in the Internet, see fig.5a, col.11 line 13 to col.12 line 56 and col.14 lines 4-59).

As to claims 148 and 149, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in their colors and the display formats selected responsive to the user profile records of at least two of the users differ in their spatial layout (displaying users' customization of contents in the Internet, see fig.5a, col.11 line 13 to col.12 line 56 and col.14 lines 4-59).

As to claim 150, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in a size, amount or density of displayed text (see col.8 lines 13-48 and col.13 lines 9-61).

As to claim 151, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in a number or percentage of non-textual objects (see fig.4a, col.14 lines 4-59 and col.16 lines 19-67).

As to claim 152, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in the type of words they use (see fig.4b, col.17 line 18 to col.18 line 50 and col.19 lines 7-65).

As to claim 153, Gerace discloses the display formats selected responsive to the user profile records of at least two of the users differ in a ratio between images and text in the page (see col.19 lines 7-65 and col.21 lines 5-60).

As to claim 154, Gerace discloses responding to the requests comprises responding by the site, which selects the display format (see col.19 lines 7-65 and col.21 lines 5-60).

As to claim 155, Gerace discloses responding to the requests comprises providing the information content by the site, and selecting the display format at least partially by a persona server, separate from the site, which provides the presentations to the users (displaying users' customization of contents in the Internet, see fig.5a, col.11 line 13 to col.12 line 56 and col.14 lines 4-59).

As to claim 158-159, Gerace discloses repeating (a) (b) (c) (d) for a plurality of unrelated sites using a single user profile and for a plurality of user profile records and a single site, wherein at least some of the responses to the requests differ at least in their display formats (see fig.4b, col.17 line 18 to col.18 line 50 and col.19 lines 7-65).

As to claims 160-162, Gerace discloses providing a record at least partially determined for one or more other users, a proxy through which the request for the Internet page is provided to the site and generated in a manner transparent to the user (see fig.4b, col.17 line 18 to col.18 line 50 and col.19 lines 7-65).

As to claims 163-164, Gerace discloses the display format is selected responsive to at least one attribute of the user profile record which is independent of the information

content of the site and tracking computer which tracks access to a plurality of different unrelated sites (see fig.4b, col.17 line 18 to col.18 line 50 and col.19 lines 7-65).

Response to Arguments

2. Applicant's arguments filed on 9/29/2005 have been fully considered but they are not persuasive.

- Applicant asserts that the cited reference does not disclose "a single request to a site:.

Examiner respectfully point out that the Gerace discloses transmitting to the site, by a user a request for an Internet page (generating an initial screen view for display to end user connected to the Internet and displaying customized Home Page specialized for each user instead of initial Home Page, see fig.1, abstract, col.3 line 39 to col.4 line 55) as rejected above.

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claim 136.

Claims 76-78, 114-117, 137-155 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [mailed on 6/29/2005]. Accordingly, claims 76-78, 114-117, 136-155 are respectfully rejected.

Conclusion

6. Claims 76-78, 114-117 and 136-155 and 158-164 are rejected.
3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khanh Dinh
Patent Examiner
Art Unit 2151
12/22/2005